

Submission under 37 CFR §1.114
U.S. Patent Application Serial No.: 09/420,806
Attorney Docket No.: 991206

REMARKS

Claims 1 - 12 are pending in the present application. By this Amendment, claim 1, 3, 9 and 11 have been amended. No new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated April 7, 2004.

Allowable Claim Subject Matter:

Applicants gratefully acknowledge the indication in item 5 of the Office Action that claims 4 - 7 would be allowable, if amended, to include all of the limitations of the base claim and any intervening claims.

However, for at least the reasons discussed below, it is respectfully submitted that all of claims 1 - 12 are allowable.

Claim Rejections under 35 U.S.C. §103:

Claims 1 - 3 and 8 are rejected under 35 USC §103(a) as being unpatentable over Miyake (U.S. Patent No. 5,767,904) in view of Horii (U.S. Patent No. 6,018,363).

This rejection is respectfully traversed.

Submission under 37 CFR §1.114
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Independent claim 1, as amended, now calls for *a processor for starting to count said timing signal in response to an instruction of said instruction key, and performing an update process to update said exposure data held in said first register at a first predetermined timing specified by counting the timing signal.* Similarly, independent claim 9, as amended, now calls for *a processor for updating the exposure data held in said first register, at a first predetermined timing specified by counting the timing signal.*

It is respectfully submitted that the Examiner has not fully appreciated these features of the present claimed invention. More specifically, with regard to the claimed feature concerning a processor updating the exposure data held in the first register, at a first predetermined timing specified by counting the timing signal, the Examiner assert that:

Miyake discloses ... performing an update process to update said exposure data held in said first register in first determined timing (the shutter speed data (exposure data) is data representing the time while shutter 29 is being opened, the shutter speed data in single picture taking mode is different from the shutter speed data in continuous picture taking mode, that states that the exposure data is updated when the mode change from single picture taking mode to continuous picture taking mode, column 9, lines 60-67).¹

However, clearly switching modes from a single picture taking mode to a continuous picture taking mode fails to constitute a processor updating the exposure data held in the first register, at a first predetermined timing specified by counting the timing signal.

As such, it is respectfully submitted that Miyake and Horii each fails to disclose these

¹ Please see, lines 11 – 19, page 2 of the Advisory Action dated November 12, 2004.

Submission under 37 CFR §1.114
U.S. Patent Application Serial No.: 09/420,806
Attorney Docket No.: 991206

features of claims 1 and 9, as amended.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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